

REMARKS

Claims 11-15 and 21-46 have been cancelled. Claims 1, 4-6, and 16 have been amended to clarify the subject matter regarded as the invention. Claims 1-10 and 16-20 are pending.

Abstract

The Abstract has been amended to correct a typographical error. No new matter has been added.

Claim Rejections – 35 U.S.C. §103(a)

The Examiner has rejected Claims 1-10 and 16-20 under 35 U.S.C. §103(a) as being unpatentable over Johnson (WO 98/38844) in view of Carlton-Foss (US Patent No. 6,647,373). The rejections are respectfully traversed.

The Examiner has acknowledged that Johnson does not disclose that a “characteristic of the auction item … is associated with the quality of the item.” Accordingly, Johnson also does not disclose “transforming, using a characteristic associated with a quality of an auction item, said selected price value into a first bidder comparative bid parameter value that is used to create a second view of the Dutch auction” as recited in independent Claims 1, 6, and 16 as amended. Further, Carlton-Foss discloses that “the dimensions for selecting a winning bidder are typically not just best price, but include a variety of additional dimensions, such as the brand and quality of the merchandise proposed, the timeliness of the delivery, and the quality of the service.” (Carlton-Foss, 1:25-29.) Carlton-Foss does not disclose “transforming, using a characteristic associated with a quality of an auction item” a “selected price value into a first bidder comparative bid parameter value that is used to create a second view of the Dutch auction.” Additionally, neither Johnson nor Carlton-Foss discloses performing the two transformations recited in independent Claims 1, 6, and 16, and creating a first, second, and third view of the Dutch auction, wherein “the second view and third view are different.” Support for the amendment may be found, without limitation, on pages 18 and 19 of the Specification. Independent Claims 1, 6, and 16 are therefore believed to be allowable.

Claims 2-5, 7-10, and 17-20 depend, either directly or indirectly, from one of the aforementioned independent claims and are believed to be allowable for the same reasons described above.

The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

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